

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

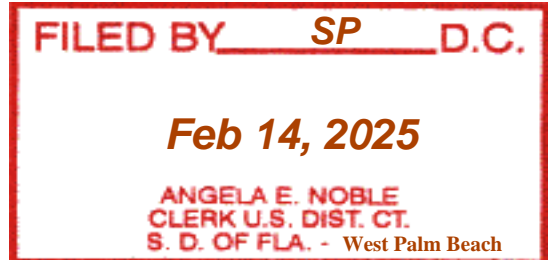
CASE NO. 25-mj-8080-RMM

UNITED STATES OF AMERICA,

v.

BALTAZAR EDUARDO JUAN-GARCIA,
a/k/a JOSE MARCELINO LOPEZ-LOPEZ,

Defendant.



CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Mills Maynard)? NO
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? NO
3. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? NO
4. Did this matter involve the participation of or consultation with Magistrate Judge Marty Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? NO

Respectfully submitted,

HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY

By: Gregory Schiller
Gregory Schiller
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UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America)

v.)

Baltazar Eduardo JUAN-GARCIA,
a/k/a Jose Marcelino LOPEZ-LOPEZ,)

Case No. 25-mj-8080-RMM

Defendant(s)

FILED BY SP D.C.

Feb 14, 2025

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - West Palm Beach

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 13, 2025 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:

Code Section

8 U.S.C. § 1326(a)(2) and (b)(1)

Offense Description

Illegal re-entry after removal

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.



Complainant's signature

Deportation Officer Andy Korzen

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/14/2025


Judge's signature

City and state: West Palm Beach, FL

Ryon M. McCabe, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT
OF
ANDY KORZEN
UNITED STATES DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT**

I, Andy Korzen, being duly sworn, depose and state as follows:

1. I am a Deportation Officer with the Immigration and Customs Enforcement (ICE) and have been so employed for over twenty-one years. I am currently assigned to the ICE Enforcement and Removal Operations, West Palm Beach, Florida. My duties and responsibilities include enforcing criminal and administrative immigration laws of the United States. I have also conducted and participated in investigations of this nature.

2. This affidavit is based upon my own knowledge as well as information provided to me by other law enforcement officers. This affidavit does not set forth every fact known to me regarding the investigation but only those facts necessary to establish probable cause to believe that Baltazar Eduardo JUAN-GARCIA, also known as Jose Marcelino LOPEZ-LOPEZ committed the offense of illegal re-entry after removal, in violation of Title 8, United States Code, Section 1326(a) and (b)(1).

3. On or about February 13, 2025, Baltazar Eduardo JUAN-GARCIA was arrested in Palm Beach County, Florida on charge of driving without a valid driver's license. He was booked and detained at the Palm Beach County Jail.

4. A review of the immigration records shows that Baltazar Eduardo JUAN-GARCIA is a native and citizen of Guatemala. Records further show that on or about February 3, 2013, Baltazar Eduardo JUAN-GARCIA was voluntarily removed to Mexico as at that time he falsely claimed Mexican citizenship.

5. Thereafter, Baltazar Eduardo JUAN-GARCIA re-entered the United States illegally and on or about November 3, 2017, was ordered removed to Guatemala after his true nationality was discovered. The Order of Removal was executed on or about November 21, 2017, whereby Baltazar Eduardo JUAN-GARCIA was removed from the United States and returned to Guatemala.

6. Thereafter, Baltazar Eduardo JUAN-GARCIA re-entered the United States illegally, his prior order of removal was reinstated, and on or about May 3, 2023, was removed and returned to Guatemala for the second time.

7. Records further show that Baltazar Eduardo JUAN-GARCIA was convicted of the following felony offenses:

- On or about January 31, 2013, in the Superior Court of Arizona, Maricopa County, of the offense of Solicitation to Commit Smuggling, in case number CR2012-160357-009 DT.

- On or about April 6, 2023, in the United States District Court, District of Arizona, of Reentry of Removed Aliens, in case number CR-23-00087-001-PHX-DGC.

8. Baltazar Eduardo JUAN-GARCIA's fingerprints taken in connection with his February 13, 2025, arrest in Palm Beach County were scanned into the IAFIS system. Results confirmed that scanned fingerprints belong to the individual who was previously removed from the United States, that is Baltazar Eduardo JUAN-GARCIA.

9. A record check was performed in the Computer Linked Application Informational Management System to determine if Baltazar Eduardo JUAN-GARCIA filed an application for permission to reapply for admission into the United States after deportation or removal. After a search was performed in that database system, no record

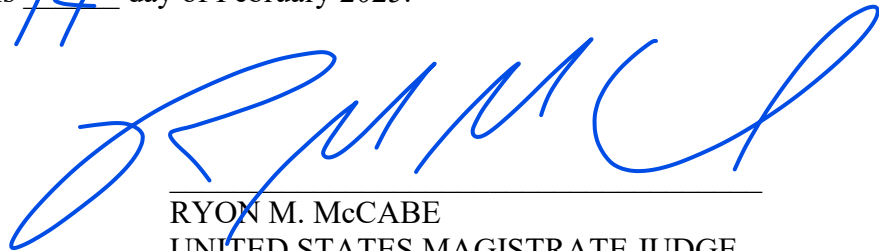
was found to exist indicating that Baltazar Eduardo JUAN-GARCIA obtained consent from the Attorney General of the United States or from the Secretary of Homeland Security, for re-admission into the United States as required by law.

10. Based on the foregoing, I submit that probable cause exists to believe that, on or about February 13, 2025, Baltazar Eduardo JUAN-GARCIA, an alien who has previously been deported and removed from the United States, was found in the United States without having received the express consent from the Attorney General or the Secretary of the Department of Homeland Security for re-admission into the United States, in violation of Title 8, United States Code, Section 1326(a) and (b)(1).



Andy Korzen
Deportation Officer
Immigration and Customs Enforcement

Sworn and Attested to me by Applicant by Telephone (Facetime) pursuant to Fed. R. Crim. P. 4(d) and 4.1 this 14 day of February 2025.



RYON M. McCABE
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Baltazar Eduardo JUAN-GARCIA

Case No: 25-mj-8080-RMM

Count #: 1

Illegal re-entry after removal

Title 8, United States Code, Section 1326(a)(2) and (b)(1)

* **Max. Term of Imprisonment:** 10 years

* **Mandatory Min. Term of Imprisonment (if applicable):** n/a

* **Max. Supervised Release:** 3 years

* **Max. Fine:** \$250,000

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.